M.R.O. 1—30,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1134 Press ~~His.~~

139A-139B

Dated 13.7.1863 ~~19~~ .

3/3

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 13th July 1863.

No. 139 A. Read the following letter from WILLIAM T. GIBSON, Esq., Colonial Secretary, Colombo; to the Chief Secretary to Government, Fort Saint George, dated Colombo, 6th July 1863, No. 23.

With reference to my letter, No. 21, of the 26th ultimo, I am directed to transmit for the information of the Honorable the Governor of Madras in Council, the annexed copy of a further communication and its enclosures from the Queen's Advocate of Ceylon.

From RICHARD F. MORGAN, Esq., Queen's Advocate; to the Honorable the Colonial Secretary, dated Colombo, 1st July 1863, No. 166.

Adverting to my letter of the 22nd ultimo (No. 162), I have the honor to annex copy of a letter received yesterday from Mr. Pole.

I beg to suggest that a copy of the correspondence be forwarded to Madras to apprize the authorities there of the steps taken.

From H. POLE, Esq., Justice of the Peace; to the Honorable the Queen's Advocate, dated Jaffna, 25th June 1863.

In reply to your letter, dated 21st June instant, in the matter of the forged Will of the late Mr. Hugh Maclean and noted urgent and confidential and containing correspondence between J. D. Sim, Esq., Secretary of the Government of Fort Saint George, to the Colonial Secretary, Colombo, with printed correspondence from the Government Solicitor to the Chief Secretary to Government, Madras, and also enclosing depositions taken before the Magistrate of Police for the Town of Madras, T. G. Clarke, Esq., I have the honor to inform you that on the day previous I received your telegram on the same subject from Colombo, I put myself almost immediately into communication with Mr. Louis Nell, the Deputy Queen's Advocate, and in consultation with him, and at his kind suggestion, but on my own responsibility, I telegraphed to Mr. Sim at Madras, and distinctly informed him that it was not possible to have the evidence and witnesses required by the Government Solicitor at Madras on the 2nd July next, I send herewith a copy of the telegram for your information. I am happy to say I entertain no doubt but that I shall be able to succeed the evidence required. I have made arrangements to proceed to Mr. Gordon's residence in the country on Monday next, when I shall meet Messrs. Todd and Maddock who with Mr. Gordon himself will be able to prove the facts required to be proved by Mr. Boyson, the Government Solicitor, namely "that on the 6th November 1856 (the date of the forged Will) "and for long previously and subsequently Mr. Maclean was residing on his property in Ceylon "and was not and could not possibly have been in Madras."

It seems that the Justice of the Peace proceedings as well as the two Civil cases connected with the matter are still in your office, as will appear by the annexed copy of letter from your Deputy, Mr. Mutukisna. Would you kindly return all to your Deputy, Mr. Nell, as they might be required.

I have just been informed of your second telegram authorizing advances to witnesses.

Are there any books of account belonging to the late Mr. Hugh Maclean with the Justice of the Peace, Case No. 17, or in the connected cases in your office, because they should be sent to Madras with the witnesses who can identify same, and they should be sent here to be identified, especially the accounts of 1856.

I consider this important; so please if you have them forward same to Jaffna.

I have written to Mr. Clarke, the Magistrate of Madras, to apprize him of the impossibility of the witnesses being present in Madras on the 2nd July next.

COPY TELEGRAM

From HENRY POLE, Esq., Judge, Jaffna; to J. D. SIM, Esq., Secretary to the Government of Madras, dated Jaffna, 25th June 1863.

Received Colombo telegram respecting Maclean's Will forgery. Impossible for the witnesses to be in Madras 2nd July.

Evidence required can be secured. Witnesses will be sent before the *middle* of next month.

Proceedings of the Madras Government, Judicial Department, 13th July 1863.

From H. F. MUTUKISNA; to the Honorable the Queen's Advocate, 25th March 1863, No. 39.

With reference to your letter, No. 73, of the 9th instant, I have the honor to return the cases, and to submit that it appears to me that after the motions made by me in case 12,144 there is no intervention necessary, the District Court having cancelled the Letters of Administration.

The Justice of Peace inquiry will of course be continued with a view to further evidence.

No. 139 B. ORDER THEREON, 13th July 1863, No. 1,134.

Communicated to the Government Solicitor in continuation of Order, No. 1,133 of this date.

(Signed) J. D. SIM,
Secretary to Government.

Exd. T. McMeotry.

Jndl. Pro. July 1863 Depto

From The Colonial Secretary Colombo No 23

Dy 6th Rd 13th July

No 1522

Transmits copy of a further communication & of its enclosures from the Queens Advocate of Ceylon in the name of the forged will of the late Mr. Hugh Mac

Order thereon 13 July 1863 No 1134

Communicated to the Govern Solicitor in continuation of order No 11 of this date.

J D Si

Secy to Gov

139 A & 139 B

To the Govt Solicitor - desp. 13/7